

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 22, 2013

TO: Honorable Abel Herrero, Chair, House Committee on Criminal Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB765 by King, Phil (Relating to the disposition of certain misdemeanor offenses committed by a holder of a commercial driver's license.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB765, As Introduced: an impact of \$0 through the biennium ending August 31, 2015.

While the overall fiscal impact to state administrative costs would not be significant, the enactment of the bill could result in a loss of federal-aid highway funds and federal Motor Carrier Safety Assistance Program funds to the state.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	\$0
2015	\$0
2016	\$0
2017	\$0
2018	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue (Loss) from Federal Funds 555
2014	(\$49,294,983)
2015	(\$75,902,415)
2016	(\$75,902,415)
2017	(\$75,902,415)
2018	(\$75,902,415)

Fiscal Analysis

The bill would amend the Transportation Code to allow certain individuals who hold a commercial driver license to be eligible for defensive driving to dismiss a violation of state law or ordinance, provided it did not occur in a commercial motor vehicle.

The bill would take effect September 1, 2013.

Methodology

The Department of Public Safety (DPS) indicates the provisions of the bill could place Texas out of compliance with Title 49, Code of Federal Regulations, which may result in a loss of federal-aid highway funds and federal Motor Carrier Safety Assistance Program (MSCAP) funds.

DPS estimates the potential losses from federal-aid highway funds would be up to 5 percent of the total funds received in the first year of non-compliance (\$26,208,017 in fiscal year 2014) and up to 10 percent in fiscal year 2015 and subsequent years (\$52,428,469).

Non-compliance could also result in a complete withdrawal of federal MCSAP funds (\$23,076,966 in fiscal year 2014 and \$23,473,946 in fiscal year 2015).

The total amount of potential losses to federal funds would be up to \$49,284,983 in fiscal year 2014 and up to \$75,902,415 in fiscal year 2015 and subsequent years.

Technology

None.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 601 Department of Transportation

LBB Staff: UP, JAW, KKR, AG, AI, ESi, GG